

UNCLASSIFIED

E135

ACTION WHA-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	CIAE-00	INL-00	DODE-00
	DOEE-00	SRPP-00	DS-00	EB-00	EUR-00	VC-00	H-00
	TEDE-00	INR-00	IO-00	L-00	VCE-00	AC-00	NSAE-00
	OIC-00	PA-00	PRS-00	ACE-00	P-00	SP-00	SSO-00
	STR-00	TRSE-00	USIE-00	DSCC-00	PRM-00	DRL-00	G-00
	NFAT-00	SAS-00	/000W				

-----0D4E8B 142103Z /38

O 142100Z APR 04

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC IMMEDIATE 5833

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY BRASILIA PRIORITY

AMEMBASSY LA PAZ PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY QUITO PRIORITY

AMEMBASSY LISBON PRIORITY

AMEMBASSY MADRID PRIORITY

AMEMBASSY SANTIAGO PRIORITY

AMEMBASSY MEXICO PRIORITY

NSC WASHDC PRIORITY

USCINCSO MIAMI FL PRIORITY

USINT HAVANA PRIORITY

RELEASED IN PART
B1, 1.4(D)

C O N F I D E N T I A L CARACAS 001267

NSC FOR CBARTON

USCINCSO ALSO FOR POLAD

STATE PASS USAID FOR DCHA/OTI

E.O. 12958: DECL: 04/01/2014

TAGS: PGOV, PHUM, KDEM, VE

SUBJECT: COURT BATTLE CLOUDS CNE SIGNATURE TALKS

REF: A. CARACAS 1169

B. CARACAS 1133

C. CARACAS 923

D. CARACAS 908

Classified By: Abelardo A. Arias, Political Counselor, for Reasons 1.4(b) and (d).

Summary

1. (C) Two chambers of the Venezuelan Supreme Court (TSJ) issued conflicting decisions on April 12 regarding the recall

UNCLASSIFIED

UNCLASSIFIED

referendum against President Hugo Chavez. The Electoral Chamber issued its definitive decision nullifying the National Electoral Council's (CNE) disqualification of 876,000 signatures in support of the recall for similar handwriting ("planillas planas"). The Constitutional Chamber issued on the same day its decision that it is the only chamber competent to rule on the referendum. [REDACTED]

B1

[REDACTED] CNE Director Jorge Rodriguez said April 6 that if an agreement can be reached by April 17, the appeals process could take place as early as May 13. [REDACTED]

End summary.

Supreme Court Zig Zags

2. (C) On April 12, the Electoral Chamber issued renewed its order to the National Electoral Council (CNE) to validate 876,000 signatures collected in support of the presidential recall referendum that the CNE had originally sent to the appeals process due to similar handwriting on the signature forms ("planillas planas"). The Electoral Chamber gave the CNE five days to comply with the decision. Just hours before, the Constitutional Chamber of the Supreme Court (TSJ) affirmed its earlier declaration that it is the only chamber competent to hear cases related to the CNE because it relates to the constitutional question of the roles of separation of powers. [REDACTED]

B1

3. (C) The CNE released a statement on April 13 saying that the Constitutional Chamber's decision effectively nullifies that of the Electoral Chamber, which the CNE accused of attempting to "co-administrate" electoral matters with the CNE. Speaking to reporters, CNE Counsel Andres Brito rejected the Electoral Chamber's authority, saying the CNE is an independent branch of government. [REDACTED]

B1

UNCLASSIFIED

UNCLASSIFIED

B1

CNE Talks Reach Make-or-Break Point

4. (C) National Electoral Council (CNE) Director Jorge Rodriguez announced on April 6 that if the CNE and the opposition can agree by April 17 on an appeals process ("reparos") for the signatures collected in support of a recall referendum against President Hugo Chavez, it can be

held as early as May 13.

B1

UNCLASSIFIED

UNCLASSIFIED

B1

UNCLASSIFIED

UNCLASSIFIED

B1

SHAPIRO

NNNN

UNCLASSIFIED